

111.

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRR(F)-691-2019 (O&M)

Date of decision: 17.09.2019

BHAWNA AND OTHERS

... Petitioners

versus

DEEPAK THAKUR

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Rajesh Lamba, Advocate, for the petitioners.

HARI PAL VERMA, J.(Oral)

CRM-28600-2019

Prayer in this application filed under Section 5 of Limitation Act is for condonation of delay of 310 days in filing the present revision petition.

For the reasons stated in the application, same is allowed and the delay of 310 days in filing the present revision petition is condoned.

CRR(F)-691-2019

Through the present revision petition, the petitioners have sought for enhancement of maintenance allowance granted to them vide order dated 08.08.2018.

Briefly stated, petitioner No.1 was married with the respondent on 01.05.2011 and out of this wedlock, two children born. Since the inception of marriage, the behaviour of respondent-husband towards the petitioner was very cruel. He was in the habit of gambling and drinking and used to quarrel with her. On 19.11.2017, the respondent had beaten the petitioner No.1 mercilessly and thrown her out of the matrimonial house.

Since the petitioner No.1 has no source of income to maintain her and both

children, whereas her husband was working as a Clerk in Post Office and drawing Rs.42,738/- per month, but he refused to give any maintenance to them, it necessitated the petitioners to file an application under Section 125 Cr.P.C for grant of interim maintenance.

Vide order dated 08.08.2018, the learned Additional Principal Judge, Family Court, Faridabad, while allowing the application filed by the petitioners under Section 125 Cr.P.C. for grant of maintenance allowance, has granted interim allowance of Rs.5,000/- per month to petitioner No.1- wife and Rs.1,000/- per month each to petitioners No.2 and 3 (minor sons) from the date of filing of application.

Aggrieved against the aforesaid order, the petitioners have filed the present revision petition seeking enhancement of amount of maintenance after a delay of 310 days.

Admittedly, the impugned order dated 08.08.2018 passed by learned Additional Principal Judge, Family Court, Faridabad, is interim in nature and has been challenged after a delay of 310 days and in this manner, the proceedings in the case must be at quite advance stage.

In view of above, this Court does not find any reason for interference in the impugned order, however, considering the fact that the claimants are wife and two minor sons, the Family Court is directed to make an endeavour to expedite the proceedings.

Disposed of.

(HARI PAL VERMA)
JUDGE

17.09.2019
sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No